

### **REMARKS**

Claims 1-37 and 40-42 are now pending in this application. Claims 1, 9, 16, and 23 are independent. Claims 29-42 are multiple dependent claims. Claims 38-39 and 44-52 have been canceled, and no claims have been amended or added by this Amendment.

#### **Indefiniteness Rejection Under §112¶2**

Withdrawal of the rejection of claims 38-39 under 35 U.S.C. §112, second paragraph, as being indefinite, is requested.

Claims 38-39 have been canceled, thus rendering their rejection moot.

#### **Unpatentability Rejection over Zait et al., Cheng et al. and Miyazaki et al.**

Withdrawal of the rejection of claims 44, 47, and 48 under 35 U.S.C. 103(a) as being unpatentable over Zait et al. (US 2005/0084767) and Cheng et al. (US 2002/0172235A1) and Miyazaki et al. non-patent literature is requested.

Claims 44, 47, and 48 have been canceled, thus rendering their rejection moot.

#### **Unpatentability Rejection over Zait et al., Cheng et al. and Yamada et al.**

Withdrawal of the rejection of claims 45, 49, and 50 under 35 U.S.C. 103(a) as being unpatentable over Zait et al. (US 2005/0084767), Cheng et al. (US 2002/0172235A1) and Yamada et al. (US 2003/0213770A1) is requested.

Claims 45, 49, and 50 have been canceled, thus rendering their rejection moot.

#### **Unpatentability Rejection over Zait et al., Cheng et al. and Zait et al.**

Withdrawal of the rejection of claims 46, 51, and 52 under 35 U.S.C. 103(a) as being unpatentable over Zait et al. (US 2005/0084767), Cheng et al. (US 2002/0172235A1) and Zait et al. (US 20023/0086245A1) is requested.

Claims 46, 51, and 52 have been canceled, thus rendering their rejection moot.

**Allowable Subject Matter**

Applicants note with appreciation the indication that claims 1-37 and 40-42 are allowed. In reliance thereupon, non-allowed claims 38-39 and 44-52 have been canceled.

**Conclusion**

In view of the above amendment and remarks, applicant believes that each of pending claims 1-37 and 40-42 in this application is in immediate condition for allowance. An early indication of the same would be appreciated.

In the event that the Examiner believes that an interview would serve to expedite resolution of any outstanding issue in this application, the undersigned attorney is available at the telephone number indicated below.

Although no fees are believed to be due with this amendment, for any fee that is due, please charge IBM Deposit Account No. 50-0510, under Order No. YOR920030128US1, from which the undersigned is authorized to draw.

Respectfully submitted,

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